



STATE BOARD OF OPTOMETRY
 2450 DEL PASO ROAD, SUITE 105, SACRAMENTO, CA 95834
 P (916) 575-7170 F (916) 575-7292 www.optometry.ca.gov



APPLICATION FOR BRANCH OFFICE LICENSE

BOARD USE ONLY
 Cashiering # _____
 BOL # _____
FEE: \$75

Instructions: This application is to be completed by licensees establishing or acquiring an optometric practice in addition to the principal place of practice which is designated by the optometrist license. This application is not intended for licensees not owning a practice. In signing the declaration in section five, applicant(s) certify compliance with the laws stated on this application. Per Business and Professions Code (BPC) §3077, any optometrist, or any two or more optometrists with valid licenses to practice optometry in California may open a branch office providing a branch office license is first obtained from the Board. If any optometrist, or any two or more optometrists desire to open two or more branch offices, as a condition for the issuance of the branch office licenses, all optometrists shall be in attendance 50% of the time all of the optometrists' offices are open for the practice of optometry. Independent Practice Associations (IPA) are exempt from this condition.

* **NOTE:** Applicants intending to use a fictitious name at a branch office location, must also apply for a fictitious name permit. Fictitious name permit applications are available at www.optometry.ca.gov. Branch Office Licenses must be renewed annually if the Branch Office is to continue in operation.

Please Print or Type

1.	Applicant(s) Information			
	List all licensed optometrists who have financial interest in the business. Do not list employees.			
1a.	Applicant 1 (If you place your name here, you will be the primary contact)			
	Last	First	Middle	OPT License #
	Principal Place of Practice Address			
	Phone#	Cell#	E-mail	
1b.	Applicant 2			
	Last	First	Middle	OPT License #
	Principal Place of Practice Address			
	Phone#	Cell#	E-mail	
1c.	Applicant 3			
	Last	First	Middle	OPT License #
	Principal Place of Practice Address			
	Phone#	Cell#	E-mail	
2.	Branch Office Address:			
	Address	City	State	Zip Code
	Phone #	Fax#		
3.	The Type of Property Where the Branch Office is Located			
	<input type="checkbox"/> Applicant(s) wholly owned. (If you checked this box, a copy of the Title or Deed <u>must</u> be attached to complete this application.)			
	<input type="checkbox"/> Leased. Provide the Lessor's Name: _____ and Phone #: _____ (If you checked this box, a copy of the lease agreement <u>must</u> be attached to complete this application. If you hold a sub-lease, a copy of the Master Lease agreement <u>must</u> also be attached.)			
	<input type="checkbox"/> Rented. Provide the Landlord's Name: _____ and Phone #: _____ (If you checked this box, a copy of the rental agreement <u>must</u> be attached to complete this application.)			

4.	Schedule (Skip this section if this is only the second location you own) If this is your third location (second branch office), you must complete the attached schedule	
	A separate schedule must be submitted for each applicant listed in Box 1 who is in the position of this being a third location with ownership status. You may duplicate this page for this purpose. Each optometrist must be in personal attendance at each of his or her offices 50 percent of the time during which the office is open for the practice of optometry (BPC 3077(i)).	
5.	Certification	
	<p><i>I/We the undersigned hereby declare under penalty of perjury under the laws of the State of California that all statements made on this application are true and correct and that I/we have read, understand, are, and will be in compliance with the provisions of California Business and Professions Code §655, 3070, and 3077 as stated on pages 2-3 of this application and other such laws, rules and regulations as may be relevant, and that optometric practice conducted at the address in Box "2" is wholly owned and entirely controlled by the applicant(s).</i></p>	
NOTE: Signatures must be executed for each optometrist applying for this Branch Office License. If additional space is needed, please use an attachment to this application.	Signature: Licensee Listed in Box 1a	Date Executed
	Signature: Licensee Listed in Box 1b	Date Executed
	Signature: Licensee Listed in Box 1c	Date Executed

CALIFORNIA LAW PERTAINING TO OPTOMETRIC BRANCH OFFICES

BPC Code §655. Prohibition of Business Arrangements Between Optometrists and Opticians or Persons in Optical Product Business:

- (a) No person licensed under Chapter 7 (commencing with Section 3000) of this division may have any membership, proprietary interest, coownership, landlord-tenant relationship, or any profit-sharing arrangement in any form, directly or indirectly, with any person licensed under Chapter 5.5 (commencing with Section 2550) of this division.
 - (b) No person licensed under Chapter 5.5 (commencing with Section 2550) of this division may have any membership, proprietary interest, coownership, landlord-tenant relationship, or any profit sharing arrangement in any form directly or indirectly with any person licensed under Chapter 7 (commencing with Section 3000) of this division.
 - (c) No person licensed under Chapter 7 (commencing with Section 3000) of this division may have any membership, proprietary interest, coownership, landlord-tenant relationship, or any profit-sharing arrangement in any form, directly or indirectly, either by stock ownership, interlocking directors, trusteeship, mortgage, trust deed, or otherwise with any person who is engaged in the manufacture, sale, or distribution to physicians and surgeons, optometrists, or dispensing opticians of lenses, frames, optical supplies, optometric appliances or devices or kindred products.
- Any violation of this section constitutes a misdemeanor as to such person licensed under Chapter 7 (commencing with Section 3000) of this division and as to any and all persons, whether or not so licensed under this division, who participate with such licensed person in a violation of any provision of this section.**
- (Added Stats 1969 ch 133 § 1. Amended Stats 1979 ch 975 § 1, operative January 1, 1983)**

BPC §3070. Controlling the Practice of Optometry Requires License to Practice

- (a) Before engaging in the practice of optometry, each licensed optometrist shall notify the board in writing of the address or addresses where he or she is to engage, or intends to engage, in the practice of optometry and, also, of any changes in his or her place of practice. The practice of optometry is the performing or the controlling of any of the acts set forth in Section 3041.
- (Amended Stats 2007 ch 276 § 2 (AB 986), effective January 1, 2008)**

BPC §3077. Branch Offices

As used in this section "office" means any office or other place for the practice of optometry.

- (a) No person, singly or in combination with others, may have an office unless he or she is registered to practice optometry under this chapter.
- (b) An optometrist, or two or more optometrists jointly, may have one office without obtaining a further license from the board.
- (c) On and after October 1, 1959, no optometrist, and no two or more optometrists jointly, may have more than one office unless he or she or they comply with the provisions of this chapter as to an additional office. The additional office, for the purposes of this chapter, constitutes a branch office.
- (d) Any optometrist who has, or any two or more optometrists, jointly, who have, a branch office prior to January 1, 1957, and who desire to continue the branch office on or after that date shall notify the board in writing of that desire in a manner prescribed by the board.
- (e) On and after January 1, 1957, any optometrist, or any two or more optometrists, jointly, who desire to open a branch office shall notify the board in writing in a manner prescribed by the board.

**Application for Branch Office License
California Law Pertaining to Optometric Branch Offices cont.**

- (f) On and after January 1, 1957, no branch office may be opened or operated without a branch office license. Branch office licenses shall be valid for the calendar year in or for which they are issued and shall be renewable on January 1st of each year thereafter. Branch office licenses shall be issued or renewed only upon the payment of the fee therefore prescribed by this chapter.
On or after October 1, 1959, no more than one branch office license shall be issued to any optometrist or to any two or more optometrists, jointly.
- (g) Any failure to comply with the provisions of this chapter relating to branch offices or branch office licenses as to any branch office shall work the suspension of the certificate of registration of each optometrist who, individually or with others, has a branch office. A certificate of registration so suspended shall not be restored except upon compliance with those provisions and the payment of the fee prescribed by this chapter for restoration of a certificate of registration after suspension for failure to comply with the provisions of this chapter relating to branch offices.
- (h) The holder or holders of a branch office license shall pay the annual renewal fee therefore in the amount required by this chapter between the first day of January and the first day of February of each year. The failure to pay the fee in advance on or before February 1st of each year during the time it is in force shall ipso facto work the suspension of the branch office license. The license shall not be restored except upon written application and the payment of the penalty prescribed by this chapter, and, in addition, all delinquent branch office fees.
- (i) Nothing in this chapter shall limit or authorize the board to limit the number of branch offices that are in operation on October 1, 1959, and that conform to this chapter, nor prevent an optometrist from acquiring any branch office or offices of his or her parent. The sale after October 1, 1959, of any branch office shall terminate the privilege of operating the branch office, and no new branch office license shall be issued in place of the license issued for the branch office, unless the branch office is the only one operated by the optometrist or by two or more optometrists jointly.
Nothing in this chapter shall prevent an optometrist from owning, maintaining, or operating more than one branch office if he or she is in personal attendance at each of his or her offices 50 percent of the time during which the office is open for the practice of optometry.
- (j) The board shall have the power to adopt, amend, and repeal rules and regulations to carry out the provisions of this section.
- (k) Notwithstanding any other provision of this section, neither an optometrist nor an individual practice association shall be deemed to have an additional office solely by reason of the optometrist's participation in an individual practice association or the individual practice association's creation or operation. As used in this subdivision, the term "individual practice association" means an entity that meets all of the following requirements:
- (1) Complies with the definition of an optometric corporation in Section 3160.
 - (2) Operates primarily for the purpose of securing contracts with health care service plans or other third-party payers that make available eye/vision services to enrollees or subscribers through a panel of optometrists.
 - (3) Contracts with optometrists to serve on the panel of optometrists, but does not obtain an ownership interest in, or otherwise exercise control over, the respective optometric practices of those optometrists on the panel.

Nothing in this subdivision shall be construed to exempt an optometrist who is a member of an individual practice association and who practices optometry in more than one physical location, from the requirement of obtaining a branch office license for each of those locations, as required by this section. However, an optometrist shall not be required to obtain a branch office license solely as a result of his or her participation in an individual practice association in which the members of the individual practice association practice optometry in a number of different locations, and each optometrist is listed as a member of that individual practice association.

(Amended Stats 2006 ch 564 § (AB 2256), effective January 1, 2007)

SCHEDULE
CONTINUATION OF BOX 4 OF BRANCH OFFICE LICENSE APPLICATION

NOTE: DO NOT FILL OUT THIS SCHEDULE IF THIS IS ONLY THE SECOND LOCATION YOU OWN!!
PLEASE TYPE OR PRINT CLEARLY

If this is your third location (second branch office), you must complete this schedule and attach it to your Branch Office Application								
A separate schedule must be submitted for each applicant listed in Box 1 who is in the position of this being a third location with ownership status. You may duplicate this page for this purpose. Each optometrist must be in personal attendance at each of his or her offices 50 percent of the time during which the office is open for the practice of optometry (BPC 3077(i)).								
Name of Applicant _____								
PRINCIPAL PLACE OF PRACTICE								
Address _____								
	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Office Use Only
Hours Open for the Practice of Optometry								
Hours of Personal Attendance								
BRANCH OFFICE NUMBER 1								
Address _____								
	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Office Use Only
Hours Open for the Practice of Optometry								
Hours of Personal Attendance								
BRANCH OFFICE NUMBER 2								
Address _____								
	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Office Use Only
Hours Open for the Practice of Optometry								
Hours of Personal Attendance								
The securing of any license or permit issued by the Board by willfully giving false information or making a false statement, in a material regard, or by fraud or deceit on any application of the Board, or by fraud or deceit practiced upon the Board, constitutes a cause to revoke or suspend the certificate of registration or any other license or permit (BPC 3095).								